June 11, 2003

MANAGEMENT OF HAZARDOUS CHEMICALS

1. **PURPOSE:** This Veterans Health Administration (VHA) Directive provides procedures to ensure that hazardous chemicals are ordered, stored, handled, used, and disposed of in a manner consistent with applicable regulatory, statutory, and accreditation requirements and accepted safe practices. It provides the policy for the evaluation, reporting, and oversight requirements.

2. BACKGROUND

- a. Public Law 91-596, Section 19, and Executive Order 12196, Section 1-201d, specify that Federal agencies must comply with safety and health standards published by Occupational Safety and Health Administration (OSHA). OSHA has published regulations defining and establishing safety requirements for hazardous chemicals under Title 29 Code of Federal Regulations (CFR) 1910.
- (1) This section further defined hazardous chemicals as any chemical that is a physical or health hazard and which meets the definition of:
 - (a) Carcinogen,
 - (b) Corrosive,
 - (c) Highly-toxic,
 - (d) Irritant, and/or
 - (e) Toxic.

NOTE: Federal Agency Safety and Health Program requirements are further delineated under 29 CFR 1960. Executive Order 13101 (Sections 208) and Executive Order 13148 (Sections 204 and 502) address the reduction of toxics.

- (2) Joint Commission on Accreditation of Healthcare Organizations (JCAHO) Environment of Care (EC) Standards require education and monitoring of personnel who manage and/or regularly come into contact with hazardous materials and/or wastes as well as a documented management program.
- b. The Environmental Protection Agency (EPA) regulates the storage, transport, and disposal of hazardous chemicals, under the Clean Water Act (CWA) and the Resource Conservation and Recovery Act (RCRA). The Department of Transportation (DOT) regulates the interstate transport of hazardous materials.
- **3. POLICY:** It is VHA policy that each facility must have a Hazardous Chemicals Management Program that fulfills the intent of Paragraph 1, and includes, as a minimum, the safe ordering, storage, handling, use, disposal, and reduction of hazardous chemicals and/or wastes.

THIS VHA DIRECTIVE EXPIRES JUNE 30, 2008

4. ACTION

- a. <u>Health Care Facility Directors.</u> Health care facility Directors must:
- (1) Develop and implement a Hazardous Chemicals Management Program to ensure that hazardous chemicals are ordered, stored, handled, used, and disposed of appropriately;
- (2) Provide adequate resources for implementation of the facility Hazardous Chemicals Management Program; and
- (3) Appoint a Program Coordinator, who will as a minimum consult with facility safety, radiation safety, industrial hygiene personnel, and others, as appropriate, to:
- (a) Develop an ongoing, comprehensive evaluation of the work processes of the facility with the goals of reducing the reliance on toxic materials and minimizing the quantities of hazardous chemicals and/or wastes and potential employee exposures.
- (b) Document that employees who use or come in contact with hazardous chemicals are provided training concerning established policies and procedures. In addition, the employee name, date, and adequacy of the response(s) to an employee questionnaire (see Att. B) must be documented. *NOTE:* Deficiencies and recommended corrective actions must be reported to the responsible official identified by the facility Director.
- (c) Routinely assess that employees have assimilated knowledge and understanding concerning established policies and procedures.
- (d) Maintain, and make readily available, Material Safety Data Sheets (MSDS) for each hazardous chemical on-site. Health care facilities may inquire, retrieve and/or fax a MSDS to their local site through VHA's Center for Engineering and Occupational Safety and Health (CEOSH). Facilities can have MSDS faxed to them by using the MSDS Access by Phone (MAP) System at (314) 543-6737. MSDS can be printed locally by accessing the CEOSH Intranet site (http://vaww.ceosh.med.va.gov/default.htm) and clicking on "MSDS Library" appearing at the left margin. Information on the CEOSH's MSDS program may be obtained by calling (314) 543-6700.
- (e) Develop and maintain an inventory listing of all hazardous chemicals at the facility to include their purchase, storage, use, and disposal.
- (f) Include the results of the Annual Workplace Evaluation (AWE) in the annual Waste Minimization and Compliance Report (Report Control Number (RCN) 10-99-904).
- b. <u>Veterans Integrated Service Network (VISN) Directors</u>. VISN Directors must evaluate VHA facilities' Hazardous Chemicals Management Program(s) as part of the Annual Workplace Evaluation (AWE) addressing the criteria contained in Attachments A and B.

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- c. The Chief Facilities Management Officer (18) and the Deputy Under Secretary for Health for Operations and Management (10N). The Chief Facilities Management Officer (18) and the Deputy Under Secretary for Health for Operations and Management (10N) must jointly:
- (1) Review the results of the VISN evaluation of the facilities' Hazardous Chemicals Management Program(s);
 - (2) Determine whether there are national trends which require redress; and
- (3) Recommend appropriate actions to improve Hazardous Chemicals Management Programs to the Under Secretary of Health.

5. REFERENCES

- a. Public Law 91-596, Section 19.
- b. Executive Order 12196, Section 1-201d.
- c. Executive Order 13101, Section 208.
- d. Executive Order 13148, Sections 204 and 502.
- e. Title 29 CFR 1910.
- f. Title 29 CFR 1960.
- g. Title 40 CFR 260-265.
- h. JCAHO EC.
- **6. FOLLOW-UP RESPONSIBILITY:** Director, Environmental Programs Service (181C) is responsible for the contents of this Directive. Questions may be directed to 202-565-8525.
- **7. RECESSIONS:** This VHA Directive expires June 30, 2008.

S/ Nevin M. Weaver for Robert H. Roswell, M.D. Under Secretary for Health

Attachments

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ATTACHMENT A

CRITERIA FOR EVALUATING HAZARDOUS CHEMICALS MANAGEMENT PROGRAMS DURING ANNUAL WORKPLACE EVALUATIONS

Employees, who use or come in contact with hazardous chemicals, need to be routinely evaluated by their supervisor. The results of the Hazardous Chemicals Management Program Evaluation, when completed as part of an annual review or routine program evaluation, must be documented to indicate either that safe work practices are being followed, or that corrective actions have been taken when indicated. The following criteria must be addressed during these evaluations:

- 1. Each employee using hazardous chemicals in the performance of assigned duties has been identified.
- 2. Each employee's need for training, concerning hazardous chemicals, has been assessed, training has been provided, and the amount and content of training provided has been documented.
- 3. Employees are knowledgeable concerning the chemicals and personal protective equipment (PPE) that they use (see Att. B).
- 4. Each area where hazardous chemicals or hazardous waste is produced or stored has been identified and an inventory of hazardous chemicals has been completed.
- 5. All storage areas have been inspected at least twice each year, and more frequently if required, to identify hazardous materials stored in inappropriate locations or stored with incompatible substances.
- 6. Types and quantities of hazardous waste generated have been identified and methods used to dispose of each type of waste comply with applicable requirements.

ATTACHMENT B

EXAMPLES FOR AN EMPLOYEE QUESTIONNAIRE

- 1. The Annual Hazardous Chemicals Management Surveillance Survey must include supervisory interviews with those employees who use or come in contact with hazardous chemicals during their tour of duty.
- 2. The following questions are representative of those to be asked of employees to determine if they are knowledgeable concerning the chemicals and personal protective equipment (PPE) that they use. Employee knowledge can be determined by asking several employees any or all of the questions, i.e., if several questions are answered correctly by an employee who has evident command of the policy and procedure, the questioning may be shortened.
 - a. Why are the chemicals being handled considered hazardous?
 - b. What precautions must be taken when using the chemical?
 - c. What personal protective equipment (PPE) must be used for protection from the chemical?
 - d. What are symptoms of overexposure to the chemical(s)?
 - e. How would one treat chemical overexposure resulting in acute symptoms?
 - f. How would one deal with a chemical leak or spill?
 - g. Where is the Material Safety Data Sheet (MSDS) of a specific chemical located?

NOTE: The employee name, date, and adequacy of the response(s) must be documented. Deficiencies and recommended corrective actions must be reported to the responsible official identified by the facility Director.